

ITTF COMM submits that any waiver granted by the Commission in this proceeding should apply to *all authorized users* of radio equipment on systems authorized for temporary operation on the 775-776 MHz/805-806 MHz band.

Accordingly, ITTF COMM requests that the above-referenced condition proposed by AASHTO be modified to read:

Equipment subject to this waiver and manufactured and marketed to operate in the guardband may only be acquired and operated by authorized users of radio equipment on systems authorized (currently or in the future) for guardband spectrum operation.

4. Field Reprogramming

AASHTO further proposes that any waiver granted in this proceeding contain a condition which specifies that the equipment subject to the waiver "...be capable of field reprogramming by authorized personnel [to] delete guardband frequencies when the licensee's waiver terminates".⁶

ITTF COMM supports this proposed condition, so long as such condition is interpreted by the Commission to require only that upon termination of the last licensee waiver the guardband frequencies can be deleted from the menu of currently operable frequencies (which is reasonable via field programming) rather than an interpretation which would require reprogramming the equipment in a manner that renders the equipment permanently incapable of transmitting on such guardband frequencies (which would require significantly more engineering beyond field reprogramming). Assuming that such interpretation is confirmed, ITTF COMM supports a condition to the waiver which states:

Equipment subject to this waiver must be capable of field reprogramming by authorized personnel [to] delete guardband frequencies when the licensee's waiver terminates.

5. Other Proposed Conditions

AASHTO further proposes the following additional conditions:

The waiver to manufacture and market equipment with channels operating in the guardband terminates coincidentally when the last public safety licensee transitions from guardband operations.

Equipment purchased and deployed under this waiver is not eligible for cost reimbursement in relocating from guardband operations.⁷

In addition, NPSTC proposes an additional condition, as follows:

[A]ny equipment deployed must meet compatible technical parameters,

⁶ Comments of AASHTO at p.3.

⁷ Id. at p.3-4/